

ARKANSAS SUPREME COURT

No. CR 08-622

JEFFERY HICKS
Petitioner

v.

HON. GARY M. ARNOLD, CIRCUIT
JUDGE
Respondent

Opinion Delivered October 9, 2008

PRO SE PETITION FOR WRIT OF
MANDAMUS [CIRCUIT COURT OF
SALINE COUNTY, CR 98-59]

PETITION MOOT.

PER CURIAM

Appellant Jeffery Hicks, a prisoner incarcerated in the Arkansas Department of Correction, filed a pro se petition for writ of habeas corpus in Saline County Circuit Court on June 14, 2002. On May 29, 2008, petitioner filed in this court a pro se petition for writ of mandamus contending that the Honorable Gary M. Arnold, Circuit Judge, had failed to act in a timely manner on that petition. Judge Arnold filed a response to the mandamus petition and attached a copy of his order entered on June 4, 2008, that denied the habeas petition. The response indicates that Judge Arnold has no recollection of the action he took upon receiving the petition.

The circumstances and response in this case give us cause for concern. While respondent's having acted on the habeas petition renders the mandamus action moot, a six-year delay in acting on a pleading is unwarranted and not acceptable. The court has the obligation of ensuring that each matter filed receives a reasonably prompt disposition. *Smith v. Wyatt*, ___ Ark. ___, ___ S.W.3d ___ (Sept. 25, 2008) (per curiam). As we have said before when there was an unwarranted delay in a court's acting on a pleading, all judicial districts are charged with developing and maintaining a

system whereby judges are promptly made aware of filings in their courts. *McCoy v. Phillips*, 357 Ark. 368, 166 S.W.3d 564 (2004) (per curiam). Those procedures should not depend on the petitioner to effect personal service on the court of a copy of the pleading filed and should be monitored closely by the courts to prevent unnecessary delays that hamper the administration of justice. As there was clearly a failure in the procedures in place in respondent's court to account for all pleadings filed, we direct Judge Arnold to assess the system in place in his judicial district and take whatever steps are necessary to prevent undue delays such as the delay that occurred in this case.

Petition moot.